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| Request For Continued Examination (RCE) Transmittal | Application Number | 10/974,212 |
| | Filing Date | October 27, 2004 |
| | First Named Inventor | Christophe Nivelet |
| | Art Unit | 2154 |
| | Examiner Name | Viet Duy Vu |
| Address to: Mail Stop RCH Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | Attorney Docket Number | BDM-04-1278 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☒ Affidavit(s)/Declaration(s)
- iv. ☒ Other Amendment Transmittal Letter w/Claim of Extension of Time for Response; Petition to Revoke under 37 C.F.R. § 1.137(b)

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(e) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-2719.
- i. ☒ RCE fee (\$810.00) required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (\$1,050.00) (37 CFR 1.136 and 1.17)
- iii. ☒ Other: any deficiencies
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | | |
|-------------------|--|------------------|-------------------|
| Signature | <i>T. Danica Christenbury Joshua B. Ryan</i> | Date | December 27, 2007 |
| Name (Print/Type) | T. Danica Christenbury Joshua B. Ryan | Registration No. | 31,750/56,438 |

CERTIFICATE OF MAILING OR TRANSMISSION

| | | | |
|---|--------------------------|------|-------------------|
| I hereby certify that this correspondence is being electronically filed with the U.S. Patent and Trademark Office on the date shown below | | | |
| Signature | <i>Anissa A. Tighman</i> | Date | December 27, 2007 |
| Name (Print/Type) | Anissa A. Tighman | Date | December 27, 2007 |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.